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December 14, 2018

VIA FEDEX AND ELECTRONIC MAIL

Honorable Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: United States v. Collins, et al. 18 Cr. 567 (VSB)**

Dear Judge Broderick:

We are counsel for Defendant Stephen Zarsky ("Mr. Zarsky") and submit this letter motion on his behalf. Pursuant to Federal Rule of Criminal Procedure 43, Mr. Zarsky hereby moves to be excused from personally appearing at the status conference scheduled for December 18, 2018.

Rule 43(b)(3) provides that a defendant "need not be present" if the appearance involves "only a conference or hearing on a question of law." At the conference held on October 11, 2018, the Court scheduled the December 18, 2018 conference to discuss the status of discovery, discovery disputes, and any additional issues. There are no pending motions, and this conference is not a hearing. As Mr. Zarsky will be in New Jersey on the date of the conference, he joins in the request of codefendants Christopher Collins and Cameron Collins, made to this Court on December 12, 2018, that his appearance be waived for the December 18, 2018 conference.

Undersigned counsel will be present in the courtroom and prepared for all issues. We have conferred with the government, who has no objection to the relief requested herein.

DUANE MORRIS LLP

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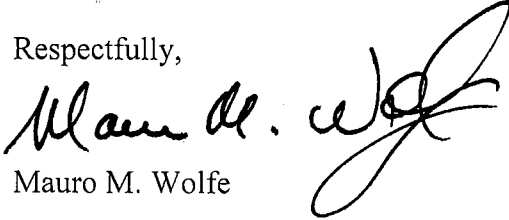
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Honorable Vernon S. Broderick  
December 14, 2018  
Page 2

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Please feel free to contact me with any questions.

Respectfully,

  
Mauro M. Wolfe

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

Plaintiff,

v.

CHRISTOPHER C. COLLINS, et al.

Defendants.

Case No. 18-cr-567 (VSB)

**DEFENDANT STEPHEN ZARSKY'S WAIVER OF APPEARANCE FOR  
DECEMBER 18, 2018 STATUS CONFERENCE**

Pursuant to Rule 43 of the Federal Rules of Criminal Procedure, Defendant Stephen Zarsky waives his right to be present in open court for the December 18, 2018 Status Conference.

Mr. Zarsky requests that the Court proceed on December 18, 2018 in his absence; agrees that his interests will be deemed represented by the presence of his attorneys, the same as if he were personally present; and further agrees to be present in Court ready for trial any date that the Court sets in his absence.

Mr. Zarsky further acknowledges that he has been informed of his rights under Title 18 U.S.C. §§ 3161-3174 (Speedy Trial Act), and authorizes his attorneys to set times and delays under the Act without being personally present.

Dated: Summit, NJ  
December 14, 2018

  
Stephen Zarsky

I agree with and consent to my client's waiver of appearance.

Dated: New York, NY  
December 14, 2018

DUANE MORRIS LLP

By: /s/ Mauro M. Wolfe  
Mauro M. Wolfe  
Amanda Bassen  
1540 Broadway  
New York, New York 10036  
(212) 692-1000  
*Attorneys for Defendant Stephen Zarsky*

SO ORDERED:

Dated: New York, New York  
December \_\_, 2018

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VERNON S. BRODERICK, U.S.D.J.